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MAY 21 2003

Lower Willamette Group
Co-Chairperson: Bob Wyatt, NW Natural
Co-Chairperson: Jim McKenna, Port of Portland
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Environmental Cleanup Office

May 16, 2003

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US Environmental Protection Agency, Region 10
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Tara Martich
US Environmental Protection Agency, Region 10
1200 Sixth Ave, M/S ECL-115
Seattle, WA 98104



Dear Chip and Tara:

As you know, the past year of the Portland Harbor Remedial Investigation/Feasibility Study (RI/FS) has been a very active one. Significant events include:

- The LWG implemented the Round 1 field sampling program
- Management changes at EPA, DEQ, and LWG since December 1, 2002;
- The LWG, EPA and the EPA Partners embarked on an aggressive, but productive, schedule of technical meetings to address comments received from the review of the initial LWG Work Plan,
- The LWG submitted the new Programmatic Work Plan and the Round 2A Field Sampling Plan.

During this active period, formal and informal products and milestones related to conducting the RI/FS have been established between EPA and the LWG. The requirements for some products were established as formal deliverables in the AOC; the need for others was established less formally as the approach to the RI/FS was being developed. The LWG feels there is an iterative and interdependent connection between these products and, therefore, it is important to have a process for documenting the progress of the RI/FS. The attached tables contain a list of the products that we believe are important to track through finalization. The following expands on examples of issues that we think are particularly important.

Several important items have been submitted to EPA, and EPA has provided preliminary and/or final responses on a number of them. For several other items, however, an EPA response has not been received. Deliverables for which responses from EPA are pending include the Sediment Trend Analysis/Historic Bathymetry Integration Report, the Sediment Profile Imaging Survey Report, and Summer 2002 Bathymetry Report. Each of these documents

is required of the LWG either by the AOC or the Stipulated Agreement that preceded it. While some of these documents may be relatively minor parts of the overall process, the LWG feels that EPA should formally review, comment, and approve the documents as part of the administrative record.

In order to avoid a year's delay in the project, the LWG undertook Round 1 field data collection (primarily biota tissue sampling) in good faith without formal written approval of the Work Plan from EPA. The LWG undertook this work with the understanding that EPA had approved individual components of the work through emails, field communications, and other informal channels. On December 3, 2002, the LWG requested that EPA provide formal written approval of the Round 1 field work to supplement the verbal statements that the work was done with EPA approval. The LWG does not expect that approval of the data collection represents approval of the RI/FS process, commitment to any means of interpreting the data, or recognition that the data collected is adequate to meet all RI/FS data needs. However, we have requested formal recognition that EPA reviewed sampling plans, approved the sampling and analysis methods, and agreed that the data are applicable to the RI/FS process for the site.

There are also documents that the LWG has agreed to provide to EPA, some of which are equally important to the overall process. Three examples are the revised benthic risk analysis approach, the groundwater data summary, and the proposed fish ingestion rates for the human health risk assessment. The attached table also shows these items.

As discussed in the May 13th meeting between the EPA/DEQ and LWG management teams, the attached tables will be updated and included in the monthly project progress report from the LWG to EPA. This tool will help both EPA and LWG track important decisions, document review cycles, and informal information or feedback requests. Please consider the tables as draft, pending feedback from you and your team on the items and format. We also request that EPA provide input to development of the table each month, either through review of a draft prior to submittal of the progress report each month or at an EPA and LWG management team meeting.

Sincerely,



Bob Wyatt
Co-Chair



Jim McKenna
Co-Chair

cc: LWG Executive Committee
LWG Legal Committee

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Table 1. Status of EPA Pending Review of Portland Harbor Deliverables (May 16, 2003)

Deliverable/Milestone Description	Date of Draft Deliverable or Request	Date EPA Comments Received	Status
STA/Historic Bathymetry Integration Report	April 26, 2002	Pending	Pending
SPI survey	April 26, 2002	Pending	Pending
Historical Database	April 26, 2002	Pending	Pending
Work Plan	June 7, 2002	August 15, 2002 (EPA partner comments); February 26, 2003 (Official EPA comments)	Programmatic Work Plan Submitted March 31, 2003
Round 1 FSP	June 14, 2002	August 15, 2002 (EPA partner comments); February 26, 2003 (Official EPA comments)	Rolled into September 10, 2002 proposed field sampling plan, based on unofficial comments received August 15, 2002
Draft Round 1 QAPP	June 14, 2002	August 15, 2002 (EPA partner comments); February 26, 2003 (Official EPA comments)	See October 11, 2002 submittal
Fish Tissue Sampling SOP for Round 1A	July 19, 2002		Conditional Approval July 22, 2002
Fish Tissue Compositing & Shipping SOP	August 8, 2002		Conditional Approval August 21, 2002
Fish Tissue Homogenization & Shipping, and Axys Homogenization SOPs	August 8, 2002		Approval August 21, 2002
Round 1 Sampling Program Proposal	September 10, 2002		Conditional Approval September 20, 2002
Revised Round 1 QAPP	October 11, 2002	October 30, 2002	See November 1, 2002 submittal
2 nd revision to Round 1 QAPP	November 1, 2002		Conditional Approval November 4, 2002
Written Approval Round 1 Field Activities	December 3, 2002	EPA initially requested, and received summary of R1 Field activities. Submittal date February 28, 2003 EPA subsequently requested, and received detailed field sampling report.	Pending

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Deliverable/Milestone Description	Date of Draft Deliverable or Request	Date EPA Comments Received	Status
		Submittal date April 3, 2003.	
Plant and Amphibian Reconnaissance Survey Technical Memorandum	February 2003	Pending	Pending
Seep Reconnaissance Technical Memorandum	February 18, 2003	Pending	Pending
Summer 2002 Bathymetry Data Report	February 26, 2003	Pending	Pending
Summary of Round 1 Field Activities	February 28, 2003	Pending	Pending
Submittal of draft Programmatic Work Plan	March 31, 2003	Pending	Pending
Adult Lamprey Harvest Technical Memorandum	April 4, 2003	Pending	Pending
Round 2A Field Sampling Plan	April 17, 2003	Pending	Pending

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Table 2. Status of LWG products pending delivery to EPA (May 16, 2003)

Deliverable/Milestone Description	Status	Review/Submittal Dates
(Revised) Benthos Risk Analysis Approach	Comments received through verbal communications in management and subgroup meetings, as well as in written comments. LWG is in the final stages of revision based on EPA comments	Draft submitted January 13, 2003 Expected submittal date for revision: May 21, 2003
Re-categorization of historical data	Research of available QA information for historical data has been completed. Re-categorization of data is underway.	Expected submittal May 30, 2003
Groundwater Data Summary Report	In preparation	TBD
Response to EPA comments on Round 1 RI/FS Work Plan and Field Sampling Plan	Currently revising document to include responses to all February 26 EPA comments	Expected submittal date May 16, 2003